

REMARKS

At the time of the Office Action dated December 28, 2005, claims 1-16 were pending in this application. Of those claims, claims 11-16 have been rejected. Applicants acknowledge, with appreciation, the Examiner's allowance of claims 1-10. Independent claims 11 and 16 have been amended to clarify that the claimed computer program product is on a computer readable storage medium. Applicants submit that the present Amendment does not generate any new matter issue.

CLAIMS 11-16 ARE REJECTED UNDER 35 U.S.C. § 101

On page 2 of the Office Action, the Examiner asserted that the claimed invention, as recited in claims 11-16, is directed to non-statutory subject matter. This rejection is respectfully traversed.

Independent claims 11 and 16 have been amended to clarify that the claimed computer program product is on a computer readable storage medium. As noted by the Examiner in the Office Action "storage medium' would fall under patentable subject matter." Thus, Applicants respectfully solicit withdrawal of the imposed rejection of claims 11-16 under 35 U.S.C. § 101.

Applicants have made every effort to present claims in condition for allowance. However, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance.

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Accordingly, and in view of the foregoing remarks, Applicants hereby respectfully request reconsideration and prompt allowance of the pending claims.

Although Applicants believe that all claims are in condition for allowance, the Examiner is directed to the following statement found in M.P.E.P. § 706(II):

When an application discloses patentable subject matter and it is apparent from the claims and the applicant's arguments that the claims are intended to be directed to such patentable subject matter, but the claims in their present form cannot be allowed because of defects in form or omission of a limitation, the examiner should not stop with a bare objection or rejection of the claims. The examiner's action should be constructive in nature and when possible should offer a definite suggestion for correction.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

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Respectfully submitted,



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